

Message Text

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20

ACTION NEA-16

INFO OCT-01 ISO-00 PM-07 L-03 CIAE-00 INR-10 NSAE-00

RSC-01 MC-02 EB-11 IGA-02 OMB-01 TRSE-00 COME-00

DRC-01 /055 W

----- 057942

P R 070810Z MAY 74

FM AMEMBASSY KUWAIT

TO SECDEF WASHDC//ISA(SA)/DSAA//

INFO CSAF WASHDC

CSA WASHDC

CNO WASHDC

USCINCEUR//ECJ7//

SECSTATE WASHDC 9495

CMC WASHDC

C O N F I D E N T I A L KUWAIT 1781

COL MURPHREE SENDS TO HOENIG

EO 11652: GDS

TAGS: MASS, KU

SUB: ELEMENTS OF DIRECT SALE CONTRACT WITH GOVERNMENT OF
KUWAIT (GOK)

REF: A. KUWAIT 1619 (DTG 250845Z MAY 74)

B. STATE 91838 (DTG 032255Z MAY 74)

1. REF A DISCUSSES GOK DESIRES DIRECT NEGOTIATIONS WITH CON-
TRACTORS FOR PURCHASE OF IHAWK AND TPS-32 RADAR.

2. IN MEETING WITH COL MURPHREE AND MR BILL PALMER, ITT GIL-
FILLAN, MAY 6, LTC SAYEGH, GOK PROCUREMENT OFFICER, LISTED THE
FOLLOWING ELEMENTS AS ESSENTIAL CONTRACT CLAUSES IN DIRECT SALES
PROPOSALS/OFFERS TO GOK:

A. ITEM DESCRIPTION

B. NAME OF MANUFACTURER

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C. PRICE

D. SCHEDULE OF PAYMENTS
E. ASSURANCE OF USG INSPECTION FOR COMPLIANCE WITH US MILITARY SPECIFICATIONS
F. PROVIDE OPTION TO GOK TO HAVE REPRESENTATIVE AT FACTORY DURING TIME OF MANUFACTURE
G. PROVIDE OPPORTUNITY TO GOK TO INSPECT ITEMS IN US PRIOR TO FINAL ACCEPTANCE
H. COVER DETAILS ON METHOD OF SHIPMENT AND ASSOCIATED COSTS
I. PENALTY CLAUSE FOR DELAY OF DELIVERY
J. WARRANTY CLAUSE
K. PROVISION FOR REQUIRED TECHNICAL DATA (CLASSIFIED AND UNCLASSIFIED) TO OPERATE AND MAINTAIN EQUIPMENT
L. INDEMNITY CLAUSE
M. PROVISION FOR REQUIRED TEST EQUIPMENT
N. GUARANTEE OF SPARE PARTS PROVISIONING (MINIMUM OF 10 YEARS)
O. CLAUSE TO COVER FUNCTIONAL CHECK OUT OF COMPLETE SYSTEM IN KUWAIT
P. GUARANTEE TO PROVIDE DOCUMENTATION AND MODIFICATION DATA FOR A SPECIFIED NUMBER OF YEARS
Q. DEFAULT CLAUSE
R. CONTRACT ASSIGNMENT CLAUSE
S. CLAUSE PROVIDING FOR RELIANCE UPON INTERNATIONAL COURT OF CLAIMS FOR INTERPRETATIONS OF CONTRACT, IF REQUIRED
T. CLAUSE PROVIDING FOR CONTRACT ALTERATIONS, IF REQUIRED
U. MODIFICATIONS:

(1) MANDATORY CHANGES-THOSE REQUIRED FOR SPEC COMPLIANCE AT MANUFACTURER'S EXPENSE
(2) OPTIONAL CHANGES-PRODUCT IMPROVEMENT CHANGES AT CUSTOMER'S EXPENSE.

3. MR PALMER, ITT GILFILLAN REP, IS AWARE OF CONTRACT ELEMENTS. REQUEST YOU RELAY CONTENTS OF PARA 2 TO MR MCCARTHY, RAYTHEON REP.

4. CONTENTS OF PARA 4, REF B TO BE RELAYED TO GOK MOD SHAIKH SA'AD VIA LETTER. WILL ADVISE GOK REACTION AND DESIRES. STOLTZFUS

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Message Attributes

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